

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

vs.

DOUGLAS GILES RAY

**IN RE: THE ANCILLARY PETITION
OF LILLY RAY**

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CR. NO. 10-00276-CG-M

ORDER

This matter is before the court on the ancillary proceeding petition of Lilly G. Ray, (Doc. 184), and the Government's response moving to dismiss the petition, or, alternatively, requesting that the petition be deemed moot, in light of the Government's filing of a separate civil forfeiture action against the same property in which petitioner Lilly G. Ray's petition claims an interest.

The records of this court show that on October 26, 2011, the Government did file a separate civil forfeiture action against the real property to which Lilly G. Ray's petition relates, namely, United States v. 10730 Meadow Lane West, Civil Action 1:11-CV-00608-CG-M. Therefore, all issues related to the forfeiture of the property, including petitioner Lilly G. Ray's interest in it, may and should be litigated within the civil forfeiture action. As a result, based on the records of the court, along with the facts and authorities submitted by the Government, the Government's motion is **GRANTED**. The petition of Lilly G. Ray is hereby **DISMISSED** pursuant to Rule 32.2 (c)(1)(A) for the

above-referenced lawful reason. All further proceedings related to the forfeiture of 10730 Meadow Lane West, Irvington, Alabama, are to be conducted in the civil forfeiture action.

THEREFORE, all further proceedings related to the forfeiture of the real property at 10730 Meadow Lane West, Irvington, Alabama, are to be conducted within the civil forfeiture action filed against it.

DONE and ORDERED this 28th day of October, 2011.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE